

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
January 12, 2010**

1. Present

Commissioners:

Sherwood Bishop, Chair
Bill Taylor, Vice-Chair
Randy Bryan
Bucky Couch
Jude Prather
Curtis O. Seebeck
Allen Shy
Jim Stark
Chris Wood

City Staff:

Matthew Lewis, Assistant Director of Development Services
Francis Serna, Recording Secretary
Melissa McCollum, Chief Planner
Sofia Nelson, Senior Planner
Phil Steed, Planner

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Bishop at 6:00 p.m. on Tuesday January 12, 2010 in the Council Chambers, City Hall Building of the City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Election of Officers.

a. Chair

Commissioner Bryan nominated Sherwood Bishop and a second by Commissioner Shy. Commissioner Seebeck nominated Bill Taylor and a second by Commissioner Bishop. Upon a written ballot, the Commission voted seven (7) for Sherwood Bishop and two (2) for Bill Taylor. Sherwood Bishop was elected as Chair.

b. Vice-Chair

Commissioner Couch nominated Bill Taylor and a second by Commissioner Stark. Commissioner Taylor nominated Curtis Seebeck and a second by Commissioner Stark. Upon a written ballot, the Commission voted nine (9) for Bill Taylor and none (0) for Curtiss Seebeck. Bill Taylor was elected as Vice-Chair.

4. Chairperson's Opening Remarks.

Chair Bishop welcomed the audience and the newly appointed Commissioners.

5. **NOTE:** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

6. **Citizen Comment Period**

There were no citizen comments.

7. **CUP-09-38.** Hold a public hearing and consider possible action on a request by Joseph Tidwell, on behalf of Spinners Pizza, for a Conditional Use Permit to allow the on-premise consumption of beer and wine at 1400 Ranch Road 12.

Chair Bishop opened the public hearing. Joseph Tidwell stated he was present on behalf of Spinners and was available to answer questions. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Shy, the Commission voted nine (9) for and none (0) opposed, to approve the request for with conditions that the CUP shall be valid for one(1) year, provided standards are met, subject to the point system; the applicant comply with all current state and food establishment rules, file a Food Establishment Application, pay the application fee, and receive all necessary inspections from the Health Department; there shall be no amplified live music (no amplified instruments) without first amending the CUP and any live music shall cease by 10:00 p.m. The motion carried unanimously.

8. **PC-08-23(03).** Consider possible action on a request by Beeman Strong, Outlet West Investors, Ltd., to approve the final plat of Lot 5, Lowman Ranch Subdivision, Section 1, being 3.84 +/- acres out of the E. Burleson Survey, City of San Marcos, Hays County, located in the 4400 Block of South IH 35.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Taylor, the Commission voted nine (9) for and none (0) opposed, to approve the request as submitted. The motion carried unanimously.

9. **Consideration and possible action on the following:**

- a. **LUA-09-14.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a land use map amendment from Very Low Density Residential (VLDR) to Mixed Use (MU) on 10.65 acres located at south of the Craddock Avenue and Bishop Street Intersection.
- b. **ZC-09-17.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a zoning change from Single Family (SF-6) to Mixed Use (MU) on 12.88 acres located at 1314 Franklin Dr.
- c. **LUA-09-15.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a land use map amendment from Very Low Density Residential (VLDR) to Medium Density Residential (MDR) on 5.81 acres located west of the future Craddock extension.

- d. **ZC-09-18.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a zoning change from Single Family (SF-6) to Multi-Family (MF-12) on 5.64 acres located west of the future Craddock extension.
- e. **LUA-09-16.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a land use map amendment from Very Low Density Residential (VLDR) to Mixed Use (MU) on .07 acres west of Tract 2 (outside the City Limits).
- f. **ZC-09-19.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a zoning change from Unzoned to Mixed Use (MU) on .07 acres located west of Tract 2 (outside City Limits).
- g. **LUA-09-17.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a land use map amendment from Very Low Density Residential (VLDR) to Medium Density Residential (MDR) on 26.44 acres located south of Tract 3 (outside the City Limits).
- h. **ZC-09-20.** Hold a public hearing and consider possible action on a request by Baker-Aicklen & Associates, on behalf of Craddock Avenue Partners, LLC for a zoning change from Unzoned to Multi-Family (MF-12) on 30.97 acres located at 1314 Franklin Dr.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Wood, the Commission voted nine (9) for and none (0) opposed to postpone LUA-09-14, ZC-09-17, LUA-09-15, ZC-09-18, LUA-09-16, ZC-09-19, LUA-09-17, and ZC-09-20 to the March 23, 2010 Planning and Zoning Commission meeting. The motion carried unanimously.

10. LUA-09-21. Hold a public hearing and consider possible action on a request by Andy Alarcon, on behalf of Oliver Billingsley for a Future Land Use Map Amendment for Low Density Residential (LDR) to Mixed Use (MU) on the property located at 716 South LBJ.

11. ZC-09-25. Hold a public hearing and consider possible action on a request by Andy Alarcon, on behalf of Oliver Billingsley for a Zoning Change from Single Family Residential (SF-6) to Mixed Use (MU) on the property located at 716 South LBJ.

Chair Bishop opened the public hearing for LUA-09-21 and ZC-09-25. Carlos Hernandez stated he was representing Mr. Billingsley and was available to answer questions. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Shy and a second by Commissioner Seebeck, the Commission voted nine (9) for and none (0) opposed to approve LUA-09-21 as submitted. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Shy and a second by Commissioner Taylor the Commission voted nine (9) for and none (0) opposed to approve ZC-09-25 as submitted. The motion carried unanimously.

12. LUA-09-22. Hold a public hearing and consider possible action on a request by Tyler Williams, for a land use map amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) being approximately 6,757 square feet or 0.15 acres, Lot 557, Block 42 of the Westover Addition, located at 1105 Hillyer Street.

13. ZC-09-26. Hold a public hearing and consider possible action on a request by Tyler Williams, for a zoning change from Single Family District (SF-6) to Duplex Restricted District (DR) being approximately 6,757 square feet or 0.15 acres, Lot 557, Block 42 of the Westover Addition, located at 1105 Hillyer Street.

Chair Bishop opened the public hearing for LUA-09-22 and ZC-09-26. Tyler Williams stated he was available to answer questions. There were no additional citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Taylor and a second by Commissioner Shy, the Commission voted nine (9) for and none (0) opposed to approve LUA-09-22 as submitted. The motion carried unanimously.

MOTION: Upon a motion made by Commissioner Taylor and a second by Commissioner Seebeck, the Commission voted nine (9) for and none (0) opposed to approve ZC-09-26 as submitted. The motion carried unanimously.

14. Discussion Items.

a. Commissioner's Retreat.

Staff and the Commission agreed to have the Commissioner's Retreat on Wednesday, February 24th from 3:00 p.m. – 8:00 p.m.

b. Annual Work Plan.

Matthew Lewis advised the Commission that staff would provide them with a draft Annual Work Plan at a future meeting for their review.

Planning Report

There was no Planning report.

Commissioners' Report

Chair Bishop stated that a social gathering celebrating the outgoing Commissioners would be held after the January 26th Planning Commission meeting at Harper's.

15. Consider approval of the minutes from the Regular Meeting of December 8, 2009.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Bryan, the Commission voted seven (7) for, none (0) opposed, and (2) abstained, to approve the Regular Meeting Minutes of December 8, 2009 with corrections. The motion carried. Commissioners Shy and Wood abstained.


16. Questions and answers from the Press and Public.

There were no questions from the press and public.

17. Adjournment

Chair Bishop adjourned the Planning and Zoning Commission at 6:59 p.m. on Tuesday, January 12, 2009.


Sherwood Bishop, Chair


Bill Taylor, Vice-Chair


Jim Stark, Commissioner


Randy Bryan, Commissioner


Curtis Seebeck, Commissioner


Allen Shy, Commissioner


Jude Prather, Commissioner


Bucky Couch, Commissioner


Chris Wood, Commissioner

ATTEST:


Francis Serna, Recording Secretary

